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Metropolitan Transportation Authority

State of New York

Via email: 67303-83121114@requests.muckrock.com

June 12, 2019

Erik Franco & Ankita Rao
Muckrock News
Dept MR 67303
411A Highland Avenue
Somerville, MA 02144-2516

Re: Freedom of Information ("FOIL") Request

Dear Mr. Franco & Ms. Rao,

This is a response to your January 14, 2019 Freedom of Information Law (FOIL) request seeking: "All references to the Seattle-based tech company Amazon within emails, memos, notes, and presentations pertaining to New York City's L train, from 06/01/2017 to the date this request is processed".

Please be advised that your request is denied pursuant to Public Officers Law §89(3) as it fails to meet the requirement that the requester reasonably describe the records requested. Whether a request is reasonably described may be dependent upon the nature of an agency's filing or record keeping system and agency employees are not required to engage in herculean or unreasonable efforts to locate records. See Konigsberg v. Coughlin, 68 N.Y.2d 245 (N.Y. 1986) and the NYS Committee on Open Government's FOIL Advisory Opinions 18949 and 18863.

MTA HQ notes that you have requested all references concerning Amazon pertaining to the L train for at least a nineteen (19) month period of time. MTA HQ employs thousands of individuals and your request fails to identify specific agency staff and/or external parties whose communications you are seeking. The Committee on Open Government has explained that "a request for 'all' records, without limitation, that include a certain name, for example, might not be found to reasonably describe the records." (COOG AO-18949 (Aug. 20, 2012)).

Pursuant to Public Officers Law §89(4), you may appeal this determination, within thirty (30) days, to MTA Managing Director, Veronique Hakim, 2 Broadway, New York, New York 10004.

This completes the MTA's response to your FOIL request and this FOIL request will now be closed.

Very truly yours,

Ann Cutler
Paralegal

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The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Capital Construction
MTA Bus Company